

**PUBLIC EMPLOYEES' RETIREMENT BOARD**  
**100 N Park, Rm 201**  
**Helena MT 59620**

**Board Legislative Committee Minutes**  
**Tuesday, February 17, 2009**  
**1:30 pm**

Committee Members: Terry Smith, Chair (via telephone)  
John Paull (via telephone)  
Dianna Porter (via telephone)

Staff: Roxanne Minnehan, Melanie Symons, Renae Deadmond,  
Kim Flatow, Ursula Hatfield, Barbara Quinn and Kathy  
Samson; MPERA staff.

Other Attendees: No public present

**Approval of Legislative Committee Meeting Minutes**

The minutes of the open meeting of February 10, 2009 were presented.

Motion: Ms. Dianna Porter moved to approve the minutes of the February 10, 2009 PERB Legislative Committee Meeting.

Second: Mr. Terry Smith

No public comment.

Vote: 2/0, Mr. Paull abstained.

**Public Comment** – No public comment.

**Executive Director's Report**

**Board Legislation – Status/Sponsors**

**HB12 Working Retiree Bill**

HB12 with amendment passed House State Administrative Committee with an 18/0 vote.

**HB109 General Revisions Bill**

It passed third reading on the House floor with a 66/32 vote.

**HB170 Qualification Bill**

It passed third reading on the House floor with a 76/23 vote on Saturday, February 7.

**Review of Introduced Bills**

**House Bills**

**HB393 (LC1018)**

This bill provides for a special contract to transfer the City of Dillon local police fund to the MPORS. Mr. Duke Gilbert and Sheri Hefflefinger are working on an amendment to this bill. Mr. Miller has asked to see this amendment but has not.

Motion: Mr. John Paull moved staff work with Sheri Hefflefinger to Dillon receiving and IRS determination letter to ensure it is a qualified governmental retirement plan. If they are not a qualified plan we would not enter into a contract.

Second: Ms. Dianna Porter

No public comment.

Vote: 3/0

**HB619 (LC1534)**

This is the Sudan divestment act, sponsored by Rep. Mike Jopek. The Board passed a motion to oppose this bill at the February 12, PERB meeting.

**HB626 (LC1763)**

This bill entitled revise transfer from local police retirement plan to statewide system. Rep. Jeffery Welborn is the sponsor. This would change the payment schedule of actuarial liabilities from 10 to 30 years or less as determined by the Board. Dillon is the last town that can join MPORS.

Motion: Mr. John Paull moved to support HB626.

Second: Ms. Dianna Porter

No public comment.

Vote: 3/0

## **Senate Bills**

### **SB372 and SB373**

These bills revise firefighter laws. These bills are sponsored by Sen. Gary Perry. SB373's hearing was scheduled Thursday, February 12 before the Business, Labor and Economic Affairs Committee. These bills address the age 34 requirement. Allowing firefighters to enter the FURS at advanced ages could have dire impact to the system. FURS disability payments are half pay (duty related or non-duty related) regardless of service. The Board has opposed this in the past. The Board moved to oppose these bills at the February 12, PERB meeting.

### **SB484 (LC1877)**

This bill adjusts retirement dates for new PERS and TRS hires. Sen. Joe Balyeat is the sponsor. A hearing is scheduled Friday, February 20, before the Business, Labor, Economic Affairs Committee. A fiscal note has been requested due February 20. Some concern was raised that the bill is confusing as it is currently written. It doesn't take into consideration active deaths or how disabilities would be calculated. Staff mentioned the possibility of an increase in disability claims.

Motion: Mr. John Paull moved to oppose SB484.

Second: Ms. Dianna Porter

No public comment.

Vote: 2/1, Mr. Terry Smith voted nay.

### **SR2**

Senate Resolution No. 2 is the bill where the Senate confirms the Governor's board appointees. This bill passed out of committee on Monday, February 16.

## **Review List of Un-introduced Bills**

An updated listing of introduced and un-introduced retirement bill requests was provided.

### **LC1137**

This bill eliminates defined benefit pensions. Mr. Smith stated he is against any bill that would eliminate the DB plan.

Motion: Ms. Dianna Porter moved to oppose LC1137.

Second: Mr. John Paull

No public comment.

Vote: 3/0

**LC2126**

This bill would revise state retirement policy and law. Representative Don Roberts is the sponsor. Representative Wayne Stahl wants to reform state retirement by having all new employees elect DC only. Ms. Minnehan and Ms. Flatow spoke with Rep. Roberts. He may use this placeholder bill to study the Teachers Retirement System. They are looking into getting funds for the study. Staff presented Rep. Stahl and Rep. Roberts with documentation re: reasons not to have a DC only system.

Motion: Ms. Dianna Porter moved to oppose LC2126.

Second: Mr. John Paull

No public comment.

Vote: 3/0

**Board Legislative Committee Meeting Schedule**

Weekly meetings are scheduled each Tuesday at 1:30 pm through the legislative session at 100 N Park Ave, Helena, MT 59620.

**Meeting adjourned 3:00 pm by Mr. Terry Smith, Chairman.**